

**13 MISC 00344**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
IN RE NONJUDICIAL CIVIL FORFEITURE  
PROCEEDING REGARDING APPROXIMATELY :  
\$111,602 IN UNITED STATES CURRENCY :  
AND ONE BREITLING "BENTLEY BARNATO :  
RACING" CHRONOGRAPH WATCH, SEIZED :  
ON OR ABOUT MAY 23, 2013, FROM :  
MICHAEL DENINO AT A RESIDENCE :  
LOCATED AT 846 ROSSVILLE AVENUE, :  
STATEN ISLAND, NEW YORK. :  
- - - - - X

STIPULATION AND ORDER

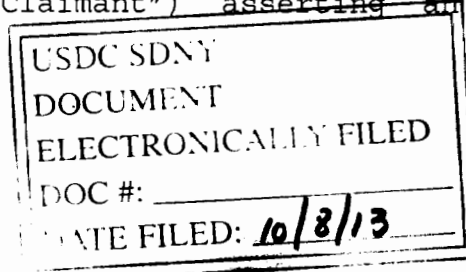
13 Misc. \_\_\_\_\_

13-7-10-20  
S.D. OF N.Y.

WHEREAS, on or about May 22, 2013, agents of the Drug Enforcement Administration ("DEA") and United States Postal Inspection Service executed a federal search warrant authorizing the search of 846 Rossville Avenue, Staten Island, New York (the "Rossville Property") and seized approximately \$111,602 in United States currency (the "Seized Currency") and one Breitling "Bentley Barnato Racing" Chronograph watch (the "Seized Watch") from Michael Denino at the Rossville Property;

WHEREAS, the DEA subsequently initiated administrative forfeiture proceedings against the Seized Currency and the Seized Watch by timely sending written notice of its intent to forfeit the Seized Currency and the Seized Watch to all known interested parties;

WHEREAS, on or about July 10, 2013, the DEA received a petition from Michael Denino (the "Claimant") asserting an



interest in the Seized Currency and another petition asserting an interest in the Seized Watch;

WHEREAS, the DEA subsequently referred the matter to the United States Attorney's Office for judicial forfeiture;

WHEREAS, Title 18, United States Code, Section 983(a)(3)(A) provides that, "[n]ot later than 90 days after a claim has been filed, the Government shall file a complaint for forfeiture in the manner set forth in the Supplemental Rules for Certain Admiralty and Maritime Claims or return the property pending the filing of a complaint, except that a court in the district in which the complaint will be filed may extend the period for filing a complaint for good cause shown or upon agreement of the parties";

WHEREAS, pursuant to Title 18, United States Code, Section 983(a)(3), the United States is required to file a complaint to forfeit the Seized Currency and the Seized Watch no later than October 8, 2013; and

WHEREAS, the Government and Noah E. Shelanski, Esq., counsel for the Claimant, are discussing a possible disposition of this case and desire an extension to review documents submitted by Claimant in support of his petitions, until November 8, 2013, of the deadline for the Government to file a complaint against the Seized Currency and the Seized Watch in order to continue those discussions;

NOW, THEREFORE, IT IS HEREBY ORDERED, upon agreement of the parties and pursuant to Title 18, United States Code, Section 983(a)(3)(A), that the time in which the Government is required to file a complaint for forfeiture of the Seized Currency and the Seized Watch is extended from October 8, 2013, up to and including November 8, 2013.

AGREED AND CONSENTED TO:

PREET BHARARA  
United States Attorney for the  
Southern District of New York  
Attorney for Plaintiff

By: Paul Monteleoni

PAUL M. MONTELEONI  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, New York 10007  
Tel.: (212) 637-2219

10/4/13  
DATE

MICHAEL DENINO  
CLAIMANT

By: Michael Denino

NOAH E. SHELANSKI, ESQ.  
Attorney for Claimant  
Hafetz Necheles & Rocco  
500 Fifth Avenue  
New York, New York 10110  
Tel.: (212) 997-7595

10/04/13  
DATE

SO ORDERED:

Honorable Robert P. Patterson, Jr. Part I  
HONORABLE ROBERT P. PATTERSON  
UNITED STATES DISTRICT JUDGE  
PART I

October 8, 2013  
DATE